

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Young-Hyeon Kwag : Examiner: Irene Marx
Serial No.: 10/531,971 : Group Art Unit: 1651
Filed: April 20, 2005 : Attorney Docket No.: 55198.3
For: MICROORGANISM PRODUCING :
5'-XANTHYLIC ACID : Customer No.: 27128
Last Office Action: June 6, 2007 : Confirmation No.: 5808

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated June 6, 2007, Applicant hereby elects for prosecution at this time Group I claim 1, drawn to a strain of *C. ammoniagenes*. The election of the Group I claim is made with traverse without prejudice to the elected Group I claim and without prejudice to the non-elected Group II claim.

Reconsideration and withdrawal of the requirement for restriction are respectfully requested. The Applicant contends that Group I and II are closely related and have a common utility. Specifically, selecting a mutant strain of Corynebacterium Ammoniagenes KCCM 10340 in order to enhance growth activity. The Applicant further contends that the Groups I and II claims don't pose a serious burden for the examiner by requiring separate searches.

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Because Applicant may wish to pursue claims of the non-elected Groups and species at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,



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Date: Jan 25, 2007